

## **Commissioner's Weekly Wrap Up**

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DCS Communications Office

**April 22, 2005**

### **The Week Ahead**

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**Wed., April 27-Fri., April 29** – The Commissioner attends National Youth Permanency in San Francisco.

### **Sevier County Law Enforcement Appreciation**

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*Submitted by Crystal Ratcliff, team leader, Child Protective Services*

On April 12, 2005, the Sevier County office's Child Protective Services unit, in recognition of April's Child Abuse Prevention Month, held a brunch to honor and show appreciation for local law enforcement agencies. Certificates were given to local detectives with the Sevierville Police Department to show them how much we appreciate their dedication to protect the children in Sevier County.

### **Writing Contest for Children in Foster Care**

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*Submitted by Karen Chamberlain, Office of Child Permanency*

The Department of Children Services will sponsor a writing contest for children in foster care throughout the state of Tennessee. Children and youth will be asked to answer the following question in the form of a paper or essay: "Have you ever had a case worker you really liked and, if so, what made that person special?" Prizes will be given to regional winners, as well as a winner representing the entire state. This contest will give us valuable insight as to what children value in their workers and provide an opportunity to celebrate our caseworkers.

I am asking for volunteers to assist me in forming a core group of diverse individuals to head the planning and implementation of this project. I am excited about this contest and look forward to hearing from some motivated people who can lend their creativity, resources and time. Please contact me at (615) 741-9858 or via e-mail.

### **Special Education – What Does It Mean to You?**

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*Submitted by Arlene Martin-Norman, Affirmative Action officer, Division for Diversity Initiatives*

On April 8-9, 2005 in Nashville, professional and parent activists representing the ethnic communities of the city came out to support, share, fellowship, advocate, and empower one another at “A Community of Color Think Tank & Training on Special Education.” The purpose of the gathering was to make it known that children with “special needs” are entitled to access full services in treatment, education and potential for a full life as adults. This think tank on special education was the brainchild of Robert and Marsha Wilson, co- founders of The Overcomers Ministry, Inc., and event co-sponsors were Mt. Zion Baptist Church, The Victory Church and the Tennessee Council on Disabilities.

The Wilsons have a son who has a learning disability. They believe that their son is not only a “gift from God”, but also there is a requirement for them to be “good stewards” over his nurturing and care.

The workshop’s main theme centered around two federal mandates that protect the rights of children with disabilities – the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504). (More information on IDEA categories can be found at <http://www.ideaactivities.org/law/index.php>).

The panel consisted of three representatives from Metro Schools, three parents from The Overcomers Ministry, Inc., a Ph. D. faculty member from Fisk and TSU, a representative from the Office of Minority Health, an assistant commissioner from the Department of Education, and three representatives from advocacy/community service agencies. Guest panelists were asked to share what they felt parents should know about special education. The following is a summary of their statements:

***All children are normal as unique individuals. All children have strengths and needs. The school system needs to provide a curriculum to fit children needs.***

***No matter what the (child’s) disability is, a parent is still the “forth most authority on the child”.***

***A parent’s educational level is not a qualifying factor for knowing their child.***

***Children can play parents against the teacher. It is beneficial to involve all to work as a team. Parents should research what teachers are saying; do not attend meetings uninformed. Do not sign an IEP (or any form) if you do not fully understand what is being stated.***

***Educators are not clinicians. Remove any language from the IEP or any document that says the child “never” “can’t” or “will not”. Any teacher that uses negative words to describe a child’s ability is not on your team.***

***Be an advocate for your child. Advocacy does not end after one meeting.***

***Children without a disability benefit more than the disabled child from classroom inclusion.***

***“Special education” is not a place. Special education is providing services for competitive and similar program delivery to meet a child unique need.***

### **All Children Have Rights**

- Public and contract schools must ensure that children, who are eligible for special education services are identified, located and evaluated.
- Public and contract schools must provide a free, appropriate public education (FAPE) to all children ages 3-21 years who are eligible for special education services.
- All students with disabilities must have an Individualized Education Plan (IEP).
- Public and contract schools must make every effort to place students in the least restrictive environment (LRE) and provide them a free appropriate public education.
- Schools cannot discriminate against children with disabilities.

**All children can learn. Some may need extra help.**

Online Resources:

Tennessee’s law covers many general education issues. This law is the Tennessee Code Annotated or T.C. A. The education portion of the law is located in title 49. The entire T.C.A. may be found at <http://198.187.128.12/>. Choose Tennessee from the drop-down list under legal resources

The Federal IDEA regulations, and many related resources, may be found at <http://www.ideapractices.org/law/index.php>

### **Home Pass Approval – A Path to Reunification**

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*Submitted by Randal Lea, executive assistant to the Commissioner, Blue Ribbon Team*

Throughout this year, we have been conducting some unannounced visits for providers – mostly level III and up – and have been looking at restraint and seclusion, medication issues, documentation and programming concerns. One of the issues around program is in our behavior management policies, which clearly state in the provider policy manual that visitation and home passes cannot be withheld or denied simply due to behavior or for punishment. While sometimes behavior does indicate there is sufficient risk to the child, family or community, the discussion about pass denial should focus on those factors and not as punishment or behavior.

In a meeting on April 18, 2005 with provider representatives, several agencies commented that the barrier to such passes sometimes is DCS approval, and that the punitive mindset of some DCS staff interferes with passes which help to achieve permanency. Just as we have insisted that the providers remove this barrier to family work and permanency, we need to ensure that DCS staff refrain from blocking passes as well, unless there is a safety concern involved. When providers asked whom they should contact when this becomes a barrier, they were instructed to follow the regional chain of command up to the regional administrator, if necessary. I informed them that regional leadership, who is being held accountable for better outcomes for kids in terms of timely permanency and lower return to care, would be in a better position to appreciate the value of family work and passes.

It is noteworthy that some providers said that the child and family team recommended and approved such passes in child and family team meetings, sometimes over the objections of one or two people. Part of what that tells me is that in at least some regions, DCS has been able to share power in an effective way through child and family team meetings in order to get better outcomes.

Please be aware that if you receive contact from providers seeking passes, they are trying to be helpful in helping us meet our goals and to provide better services for children. We recognize courts will not always support us in this work, as many courts must be responsive to their own communities. We also recognize that common sense and clinical opinion have a place in the discussion of home passes, and that there is an expectation DCS and our partners are working with the family system before and after to make these passes effective. We simply must ensure that neither DCS nor DCS contract agencies pose the barrier to work in the home toward reunification.

## **Core Leadership**

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**Core Leadership  
April 19, 2005  
Debra Valentine, Presiding**

This week's Core Leadership meeting focused on the Monitoring Report of the Technical Assistance Committee (TAC) in the case of Brian A. v. Bredesen, which was released on April 13, 2005. The full report can be viewed on the DCS Web site at [http://www.state.tn.us/youth/news\\_room/spotlight/spotlight.htm](http://www.state.tn.us/youth/news_room/spotlight/spotlight.htm)

## **Commissioner Comments**

From the TAC's viewpoint, DCS is four years into the Brian A. Settlement Agreement; from the viewpoint of the new DCS leadership team, the agency is 15 months into the agreement, considering that Commissioner Viola P. Miller joined the agency in

December 2003. There is considerable work to be accomplished with the next six months, which demands a new level of urgency.

Several key concerns include:

- Increasing the level of accountability and sphere of responsibility of the regional administrators
- A paradigm shift that changes from long-term to day-to-day planning and accomplishment of benchmarks
- Systemic issues, including maximizing our work with child advocacy centers (CACs) and child protective investigative teams (CPITs)
- Stressing the importance and relevance of training to all employees
- Increasing levels of support for case workers, focusing on a strengths-based, family-focused and culturally responsive model that does not carry a punitive ideology in addressing juvenile justice concerns, and that increases the rapport between supervisors and field staff

Specific issues discussed in the monitoring report included the following:

- **Page 34: Serious Incident Reports** – *The Department is also considering consolidating, clarifying and simplifying the variety of responsibilities related to responding to serious incident reports and oversight and monitoring of residential facilities and contract providers. In this area, the responsibilities under the present structure remain unclear, and communication and coordination among those with overlapping or related responsibilities appear problematic. Action step:* Debra Valentine and Audrey Corder to develop flow chart of processes and responsibilities.
- **Page 35: Role of Regional Administrators** – *The Path to Excellence envisions regional administrators as key champions of the Practice Model and the key change agents for the reform effort, and as a result the responsibilities of the regional administrators are substantially expanded. Regional leadership teams and regional implementation teams have been convened in each region; regional DCS/private provider cross-functional teams, and regional CQI teams either have been or shortly will be convened in each region ... the development and implementation of a regional administrator performance evaluation is behind schedule. Action step:* Leadership staff will begin assessing the type and level of assistance and support regional administrators need, as well as formulating an evaluation instrument with specific outcomes and goals.
- **Page 36: Updating Policies** – *The goal calls on DCS to review and revise DCS policies and ensure congruence with DCS Standards of Professional Practice for Serving Children and Families. Efforts are underway to revise old DCS policies and develop new ones, so that by May 2005 the policies (a) conform to the new DCS Practice Model and (b) clearly communicate what is expected in terms of practice and procedure. Action step:* This is Petrina Jones-Jesz's domain. Her

team will be working on ways to ensure that the policy review process is being properly done in a timely manner.

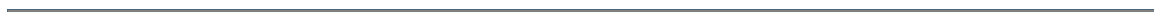
- **Page 36: Cultural Competency Plan** – *A number of tasks related to this goal are behind schedule; however, most of the cultural competence action steps are to be accomplished in the next reporting period and, therefore, will be the subject of the next monitoring report.* **Action step:** William Haynes will submit a plan to the Commissioner.
- **Page 37: Path to Excellence Goals** – *The Path to Excellence includes three goals related to developing and retaining a strong workforce, including implementing policies and practices designed to recruit, hire and retain high-quality staff by February 2005; providing high-quality training that teaches the competencies required of staff by the new Practice Model and implementing competency-based staff evaluation by January 2005; and implementing a plan for measuring and improving employee satisfaction and retention rates by October 2005.* **Action step:** Assess and fill vacancies in CPS, develop a roster of part-time or temporary workers to fill vacancies, greater use of interns and possible alternative hiring practices.
- **Page 42: Caseloads** – *The TAC will be working with the Department during the next several months to better understand the frequency and severity of the problem, to review approaches to addressing the problem, to ensure that there is a system in place to monitor and analyze staff turnover, staff transfers and vacancies, and to target resources to address the resulting workload issues. The TAC will be looking carefully at caseloads over the next monitoring period and would expect improved performance in this important area.* **Action step:** Thomas Riche to develop plan.
- **Page 43: Competency Evaluation Development** – *The Department is making progress on the development of a competency exam. Completion of the competency exam content could not occur until the Department had identified the core competencies required, which has now been completed. The written, knowledge-based competence exam is nearly complete, and the selected exam items are being tested with participants. Completion is projected for spring 2005.* **Action step:** Stacy Borasky with the consortium to follow up and pursue.
- **Page 44: Employee Training** – *The Settlement Agreement contemplates that DCS will identify workers who need retraining, will provide retraining to these workers, and then will re-evaluate their competence. The Department will need to give some attention to this issue over the coming months. Finally, the Department is behind schedule in developing a competency-based pre-service training and certification process for newly promoted or entering supervisors.* **Action step:** William Haynes will submit a plan on performance evaluations of field staff based on job duties.

- **Page 45: Child and Family Team Meetings** – Additional training and coaching are needed to implement child and family team meetings statewide. The Department is working on plans to provide additional assessment and coaching of the 84 CFTM facilitators, but has little staff capacity to support this plan. The training and coaching of these facilitators was brief, so it is likely that additional coaching will be necessary. **Action step:** Actively work on engaging staff and the consortium in delivering the CFTM curriculum that was developed. (More information on CFTMs can be found on pages 47 and 49 of the report.)
- **Page 46: Private Provider Training** – The Department is meeting with the provider organization about provider training standards, but implementation of the settlement’s provisions about oversight, review and monitoring has not yet reached the work plan stage. There is no Department timetable for completing this requirement.

*The assumption by training staff of oversight responsibility for provider training is still in the planning stage. Considerable work will be needed to bring providers into conformity with the provisions of the settlement related to provider training. Additional resources may be needed as well, as the process of reviewing provider training, assuring conformity and monitoring delivery will require staff support.* **Action step:** Suzanne White to develop work plan.

- **Page 46: Employee Retention Plan** – The strategies to accomplish this include: assessing employee satisfaction and issues affecting retention; developing a DCS employee recognition system; and improving and expanding the stipend program for employees. The Department is behind schedule in this area ... **Action step:** This area is a work in progress under William Haynes.
- **Page 52: Functional Assessment** – It is important for the Department to develop a written work plan for implementation of the assessment process and that there be further discussion and a clear resolution of the questions that were raised but not fully answered at the February 1 meeting. **Action step:** Beth Kasch to develop and submit work plan.

Next week’s Core Leadership meeting will focus on a continued discussion of the monitoring report. All staff members are encouraged to read the report.



Amy Whitt, a CPS investigator in Sullivan County, submitted the following quotations for the Weekly Wrap Up:

***None of us has gotten where we are solely by pulling ourselves up from our own bootstraps. We got here because somebody bent down and helped us. –Thurgood Marshall***

***Remember, if you ever need a helping hand, you'll find one at the end of your arm . . . As you grow older, you will discover that you have two hands – one for helping yourself, the other for helping others. –Audrey Hepburn***